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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,373	05/31/2000	CHRISTOPHER D. BLAIR	105732	1323

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04/25/2002

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EXAMINER

BLACKWELL RUDASIL, GWENDOLYN A

ART UNIT

PAPER NUMBER

1775

5

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

T-D-5

Office Action Summary

Application No.

09/584,373

Applicant(s)

BLAIR ET AL.

Examiner

Gwendolyn A. Blackwell-Rudasill

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 27-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 6, 10-15, 18, 19 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 7-9, 16, 17 and 20-22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I in Paper No. 4 is acknowledged. Applicant's arguments have been considered. The restriction requirement is maintained. Rejoinder of the process claims will be considered upon the determination of allowable subject as pertaining to the article claims. *See MPEP 821.04.*

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 5, and 11-12 rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent no. 5,697,029, Saitoh et al.

Saitoh discloses a developing roller with a sleeve, which has a coating on the sleeve. The core of the roller can be formed of any desired material. The sleeve can be formed from metals or resins, (column 2, lines 33-41). As set out in Comparative Example 2, the coating can be glass, more specifically silicon dioxide, meeting the requirements of claims 1-2, 5, and 11-12, (columns 4-5, lines 66-4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 6, 10, 13-15, 18-19, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent no. 5,697,029, Saitoh et al., in view of United States Patent no. 5,805,964, Badesha et al.

Saitoh discloses the limitations of claim 1 as set out above. Saitoh does not disclose that the roller is a donor roller or that the coating has a certain surface roughness.

Badesha discloses an apparatus containing a donor roll used in conjunction with electrodes, which has an inorganic coating. The coating is used to reduce the accumulation of toner, (column 8, lines 60-66). Besides having a smooth surface with a surface roughness from about 0.01 to about 1 micron, the inorganic coating can be a borosilicate glass, (column 9, lines 15-30). The coating “does not adversely interfere with the mechanical or electrical properties of the electrode member”, (columns 8-9, lines 66-2). Badesha also discloses that the donor roll is made from aluminum or ceramic, (column 5, lines 54-55).

The inventions of Saitoh and Badesha are used in the field of electrophotography. While Saitoh’s invention is to a magnet-developing roller it has been demonstrated that a glass coating can be placed upon a developing roller. Although the glass used in the Saitoh reference is in the

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comparative example, the fact that it was used demonstrates that it was known in the art to put a glass coating on a developer roll even though for the purposes of the Saitoh invention it did not meet certain requirements.

While the inorganic coating of Badesha was placed on the electrodes and not directly on the donor roll, it was explicitly stated that the inorganic coating, which can be borosilicate glass, was used to reduce the accumulation of toner, (column 4, lines 42-50, and column 9, lines 20-30). It is also demonstrated that the coating does not affect the mechanical or chemical properties of the electrode member, (column 9, lines 1-3). In addition, the electrodes are used in conjunction with the donor roll as the electrodes are electrically charged or discharged to attracting toner, (column 6, lines 9-59). Therefore it would have been obvious to one skilled in the art at the time of invention to utilize the inorganic coating of Badesha on the developer roller of Saitoh to obtain a developer roller with reduced toner accumulation, without reducing the mechanical and electrical properties of the developing roller.

Allowable Subject Matter

6. Claims 3-4, 7-9, 16-17, and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

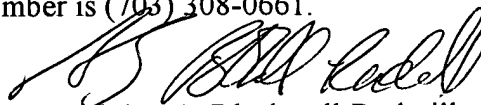
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn A. Blackwell-Rudasill whose telephone number is

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(703) 305-9741. The examiner can normally be reached on Monday - Friday; 6:30 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (703) 308-3822. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


Gwendolyn A. Blackwell-Rudasill
Examiner
Art Unit 1775

gbr
April 22, 2002


DEBORAH JONES
SUPERVISOR PATENT EXAMINER